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FACSIMILE TRANSMITTAL SHEET

TO:

John Kline, Chairman
Education and the Workforce
Committee
U.S. House of Representatives

FROM:

Bernadeia H. Johnson, Ed.D.
Superintendent of Schools

George Miller, Ranking Member
Education and the Workforce
Committee
U.S. House of Representatives

Copy: U.S. Representatives

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RE:

Elementary and Secondary Education Act (ESEA) Reauthorization Bill, H.R. 5

☒ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE



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Bernadeia H. Johnson, Ed.D.
Superintendent of Schools

July 15, 2013

The Honorable John Kline, Chairman
The Honorable George Miller, Ranking Member
Education and the Workforce Committee
U.S. House of Representatives
Washington D. C. 21015

Dear Chairman Kline and Ranking Member Miller:

We are writing as leaders of the Minneapolis Public Schools to inform you and the committee that Minneapolis Public Schools opposes passage of the pending Elementary and Secondary Education Act (ESEA) reauthorization bill, H.R. 5.

We wish to acknowledge the Committee's efforts to streamline and simplify this overly prescriptive federal statute. However, the bill has a number of fundamental problems that would, if enacted, adversely impact the mission of Minneapolis Public Schools: Ensure All Students Learn.

Our concerns with the committee bill include:

- The Committee bill repeals the "maintenance of effort" provisions of the Act – a cornerstone of federal education aid.
 - By eliminating maintenance of effort requirements, states are free to cut their own state education expenditures without creating a federal compliance violation.
 - ESEA funds, in effect, could become merely an offset against state school aid reductions without providing the additional benefits that federal education aid is designed to impart.
 - The ARRA Stabilization funds provide a classic example of states cutting school funding and backfilling with federal funds when the traditional maintenance of effort requirements were not in place.
 - More recent failures to maintain state aid in special education funding demonstrate the continuing propensity of states to try to circumvent federal maintenance of effort requirements.
 - Without the consequences of federal non-compliance, repeal of these provisions invites states to cut state education support.
 - Moreover, "supplement not supplant" provisions alone will not prevent such reductions in state aid.

- The Committee bill undercuts another key principle of ESEA in allowing funds generated by specific groups of students to be spent on other students under the "alternative uses" authority in section 1002.
 - Funds allocated for English learners or Native American students, for example, could be used for activities unrelated to meeting their needs.
 - This is not the type of flexibility sought by the Minneapolis Public Schools.
 - The lack of traditional "authorization of appropriations" provisions for particular targeted programs also signals a further erosion of federal attention to the needs of traditional ESEA constituents.
 - In addition, H.R. 5 would allow schools to spend Title I funds on non-disadvantaged students without the current "school-wide" requirement of a high concentration of poverty. There is also a lack of clear linkage between the academic performance of traditional (sub)groups of students and the accountability, intervention and improvement actions that should follow.
- Delegating the bulk of accountability and improvement determinations to the state departments of education also ignores the limited instructional capabilities of many states and the history of inequitable treatment of schools and communities with concentrations of poor and minority students.
- The state applications for waivers of No Child Left Behind (NCLB) requirements underscores how easily states can evade accountability for critical low-performing student (sub)groups – low-income, racial and ethnic minorities, limited English proficient, and students with disabilities.
- In delegating even more discretion to state agencies than under the current NCLB waiver process, the bill will erode the essential ESEA focus on disadvantaged children and the schools they attend.
- Moreover, the bill contains the significant reduction in the proportion of funds allocated to states and school districts on the basis of student poverty, thereby diverting sizeable amounts of federal funds away from the neediest students, including those in central city school districts like Minneapolis and St. Paul.

- H.R. 5 also increases the state set-aside under section 1003 of the Title I program by 150 percent, further reducing local school district formula grants by over three-quarters of a billion dollars annually.
- MPS cannot support the creation of a \$2 billion block grant for state departments of education in Title III-B, providing states with nearly unfettered discretion over how the funds will be used and which schools and districts will or will not receive a grant.
- MPS strongly opposes the proposed amendment by Representative Thompson to change the Title I funding formula.
 - The formula change would reduce funding for the school districts enrolling the greatest numbers of children in poverty.
 - Ironically, some 2,000 school districts with "single digit" poverty rates would be among the beneficiaries of the formula change.
 - The reduction in funds would fall disproportionately on the 1 percent of districts nationally that serve 32 percent of the country's first cohort of persistently lowest-achieving schools, and three times the proportion of African-American and Hispanic students as rural schools.
 - Moreover, the amendment would reverse thirty-five years of Committee policy under Chairmen Perkins, Hawkins, Ford, and Boehner that provided for increased Title I allocations for school districts with substantial concentrations of poverty.

MPS will inform our Minnesota delegation members that we request a "NO" vote from members of the delegation as HR 5 advances in the House.

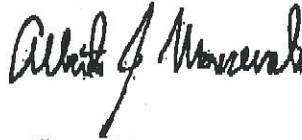
The ongoing debate over "federal authority" versus "state authority" continues to divert attention from the most important local-level functions of school districts: teaching and learning. The Minneapolis Public Schools would be pleased to work with the Committee and its staff to find a better balance between the overly prescriptive language under No Child Left Behind and the relatively unfettered state discretion under the

pending bill. In our opinion, supporting and facilitating improvements in local instructional practices through ESEA offers a better way forward than the reauthorization proposed in H.R. 5.

Sincerely,



Bernadeia Johnson, Ed.D.
Superintendent,
Minneapolis Public Schools



Alberto Monserrate
Chairperson,
MPS Board of Directors
